

SUMMARY MEETING MINUTES
DARIEN ZONING BOARD OF APPEALS (ZBA)
May 18, 2016

REGULAR MEETING

Darien Town Hall - Room 206 – 7:45 to 9:58 PM

ZBA members present: Mike Nedder, Chuck Deluca, Vic Capellupo, Rich Wood and Ruth Anne Ramsey

Staff Present: Code Compliance Officer Robert Woodside and Recorder Judy Fazekas

OPENING

ZBA Vice-Chair Mike Nedder opened the meeting at 7:45 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

PUBLIC HEARINGS

The following hearings were held with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

CALENDAR NO. 16-2016 - the application of Tara & Brendan Sobolewski submitted on April 15, 2016 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of two story, second story, dormer, and covered front porch additions; Section 406: 8.8 in lieu of 10.0 feet minimum required north side yard setback for the second story addition, 10.0 in lieu of 15.0 feet minimum required south side yard setback for the two story addition, 18.8 in lieu of 25.0 feet minimum required total of two side yards setback for the additions, 9.7 in lieu of 10.0 feet minimum required north side yard setback for the dormer, 29.0 in lieu of 30.0 feet minimum required front yard setback for the covered porch, and 20.0 in lieu of 24.0 feet minimum required parking backup space. The property is situated on the west side of Fitch Avenue approximately 50 feet north of the intersection with Archer Lane and is shown on Assessor's Map #42 as Lot #117, being 25 Fitch Avenue and located in an R-1/3 (residential) Zone.

Property owners Brendan and Tara Sobolewski answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

CALENDAR NO. 17-2016 - the application of Edward G. Davis, AIA on behalf of Daniel & Lindsay Kollar submitted on April 19, 2016 for an amendment to the previously approved plans of Calendar No. 25-1985 and variances of Sections 334 and 406 of the Darien Zoning Regulations; to allow the construction of a second story addition, and replacement rear stairs; Section 334: construction on a portion of the lot with 79.0 in lieu of 100.0 feet minimum required lot depth; and Section 406: 29.0 in lieu of 40.0 feet minimum required front yard setback; 19.9 in lieu of 25.0 feet minimum required rear yard setback for the second story addition; and 17.0 in lieu of 25.0 feet minimum required rear yard setback for the wood rear stairs; and construction of additional building volume on a lot with 21.5 in lieu of 20.0% maximum allowable building coverage. The property is situated on the north side of Oak Crest Road approximately 520 feet east of the intersection with Mansfield Avenue and is shown on Assessor's Map #15 as Lot #95, being 17 Oak Crest Road and located in an R-1/2 (residential) Zone.

Architect Ed Davis and property owner Lindsay Kollar answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

CALENDAR NO. 18-2016 - the application of Patrick & Lucille Ventker submitted on April 20, 2016 for variances of Section 406 of the Darien Zoning Regulations; to allow the construction of a second story addition; Section 406: 19.8 in lieu of 40.0 feet minimum required front yard setback and 39.8 in lieu of 65.0 feet minimum required front yard setback as measured from the centerline of Locust Hill Road. The property is situated on the north side of Locust Hill Road approximately 300 feet west of the intersection with Settler's Trail and shown on Assessor's Map #38 as Lot #22, being 33 Locust Hill Road and located in an R-1/2 (residential) Zone.

Architectural Designer Arpita Mucchal and property owner Pat Venkter answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The ZBA determined that additional clarification of the project circumstances was necessary. The Public Hearing was then continued to the next ZBA meeting on June 1, 2016.

CALENDAR NO. 19-2016 - the application of Wilder G. Gleason, Esq. and Gleason & Associates LLC submitted on behalf of Susan N. Weaver submitted on April 20, 2016 for variances of Sections 361, 416 and 906.3 of the Darien Zoning Regulations; to allow the construction of a replacement two and one half story house with parking and terrace in the setback spaces; Section 361: 2.4 in lieu of 8.0 feet minimum required rear yard

setback for preservation and expansion of the existing terrace structure; Section 416: 21.0 in lieu of 25.0 feet minimum required rear yard setback, 12.0 in lieu of 15.0 feet minimum required west side yard setback, 12.5 in lieu of 15.0 feet minimum required east side yard setback, 24.5 in lieu of 30.0 feet minimum required total of two side yards setback, and 22.24 in lieu of 20.0% maximum allowable building coverage for the replacement house; and Section 906.3: 5.0 in lieu 15.0 feet minimum required west side yard setback for a parking space. The property is situated on the south side of Baywater Drive approximately 20 feet east of the intersection with Plymouth Drive and shown on Assessor's Map #55 as Lot #97, being 21 Baywater Drive and located in the R-NBD (Noroton Bay District) Zone.

Attorney Wilder Gleason, Builder Bo Malpass and Bob Weaver answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. Neighbor Sheree Frank spoke in support of the application. The Public Hearing was then closed.

CALENDAR NO. 20-2016 - the application of Wilder G. Gleason, Esq. and Gleason & Associates LLC submitted on behalf of BLCR Holdings LLC submitted on April 20, 2016 for variances of Sections 656, 904 and 923 of the Darien Zoning Regulations; to allow the construction of additions, with parking and signage; Section 656: 0.1 in lieu of 20.0 feet minimum required rear yard setback from the Center Street parking lot property line; 0.9 in lieu of 4.0 feet minimum required side yard setback from the northeast property line; Section 904: 10 in lieu of 13 minimum required parking spaces; Section 923.1c: installation of a wall sign on the northeast side of the building in lieu of a wall sign facing Old Kings Highway South; and Section 923.6: installation of a wall sign facing Center Street with 14.0 in lieu of 6.0 maximum square feet. The property is situated on the west side of Old Kings Highway South approximately 50 feet south of the intersection with Center Street and is shown on Assessor's Map #72 as Lot #36, being 22 Old Kings Highway South and located in the CBD (commercial) Zone.

Attorney Wilder Gleason, Jake Fay of William Raveis and Architect Loren Meyer answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

DELIBERATIONS AND DECISIONS

The following decisions were made after the ZBA members reviewed the public hearing comments, the submitted plans and other application materials, and carefully considered possible stipulations to ensure the best possible project fit among the neighboring properties:

CALENDAR NO. 16-2016 - The application of Tara & Brendan Sobolewski, 25 Fitch Avenue. Upon a motion by Chuck Deluca, seconded by Ruth Anne Ramsey, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

CALENDAR NO. 17-2016 - The application of Daniel & Lindsay Kollar, 17 Oak Crest Road. Upon a motion by Chuck Deluca, seconded by Vic Capellupo, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances and amendment.

CALENDAR NO. 19-2016 - The application of Susan N. Weaver, 21 Baywater Drive. Upon a motion by Mike Nedder, seconded by Ruth Anne Ramsey, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

CALENDAR NO. 20-2016 - The application of BLCR Holdings LLC, 22 Old Kings Highway South. Upon a motion by Chuck Deluca, seconded by Vic Capellupo, the ZBA voted 5-0 to GRANT WITH STIPULATIONS the above delineated, requested variances.

OTHER BUSINESS

The following additional decisions were made after the ZBA members reviewed the submitted documents, correspondence and/or project plans:

Requested six month extension, received May 9, 2016, to obtain all required permits and begin on-site construction for ZBA Calendar No. 33-2015, Ben & Trudie Larrabee, 26 Fairview Avenue. The Public Hearing of this matter was June 24, 2015. Initial ZBA approval would have expired on January 6, 2016. Following an August 20, 2015 request, on September 9, 2015 the ZBA granted a six month extension to July 6, 2016.

Upon a motion by Chuck Deluca, seconded by Mike Nedder, the ZBA voted 5-0 to APPROVE the requested extension.

Requested six month extension, received April 21, 2016, to obtain all required permits and begin on-site construction for ZBA Calendar No. 49-2015, David & Michelle Donahue, 12 Catalpa Terrace. The Public Hearing of this matter was October 14, 2015. Initial ZBA approval would have expired on April 23, 2016.

Upon a motion by Mike Nedder, seconded by Chuck Deluca, the ZBA voted 5-0 to APPROVE the requested extension.

Approval of Minutes of meeting on March 23, 2016. ZBA members attending this meeting were Jeff Williams, Vic Capellupo, Gary Greene, Mike Nedder, and Rich Wood.

This matter was tabled to a future meeting.

ADJOURNMENT

The meeting was adjourned at 9:58 PM.

These Meeting Minutes,
Respectfully submitted May 19, 2016,
by Robert Woodside,
Code Compliance Officer
ZBA Staff

These Minutes were reviewed by the attending ZBA members, modified as necessary, and upon a motion by Chuck Deluca, seconded by Mike Nedder, approved by a vote of 4-0 at the ZBA meeting on July 13, 2016. Chuck Deluca, Vic Capellupo, Mike Nedder and Rich Wood voted in favor of the motion.